

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 4:09-CR-72-D

UNITED STATES OF AMERICA)	UNITED STATES' MOTION TO
)	CONTINUE SENTENCING
v.)	
)	
JOHN KENT COLVIN)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby moves the Court to continue the sentencing hearing for defendant John Kent Colvin ("Defendant"), currently scheduled for Wednesday, January 12, 2010, at 9 a.m. A proposed order is filed herewith.

1. In light of Defendant's numerous objections to the final Presentence Report in this case, the United States anticipates a lengthy sentencing hearing. As part of that hearing, the United States anticipates calling several witnesses.

2. Other than witnesses who are part of the prosecution team in this case, the witnesses are victims who live in the Middle District of North Carolina.

3. The United States has made contact with at least one of these victims today concerning the weather. That victim, who is elderly, stated that, due to snow in her area and anticipated ice, she is worried about safe travel to Raleigh.

4. The United States respectfully requests that, if possible, the sentencing be moved to the Court's Thursday or Friday calendar to facilitate the travel of witnesses, including the above victim.

5. Counsel for Defendant was contacted earlier this afternoon regarding the continuance requested by the United States, but has not yet responded.

Respectfully submitted, this 10th day of January, 2011.

GEORGE E. B. HOLDING
United States Attorney

BY: /s/ Clay C. Wheeler
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CERTIFICATE OF SERVICE

This certifies that on this 10th day of January, 2011, I have served a copy of the foregoing on the defendant in this action by electronic filing as follows:

Attorney for Defendant Colvin:

Paul K. Sun, Jr.
Ellis and Winters

/s/ Clay C. Wheeler

CLAY C. WHEELER